U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of CLARA J. FILION and U.S. POSTAL SERVICE,
POST OFFICE, Bryon, GA

Docket No. 00-2167; Submitted on the Record;
Issued May 7, 2001

DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,
PRISCILLA ANNE SCHWAB

The issue is whether appellant has established that she developed carpal tunnel syndrome causally related to factors of her federal employment.

On February 2, 2000 appellant, then a 50-year-old rural letter carrier, filed a claim alleging that on December 24, 1999 she became aware that the numbness, tingling and loss of feeling in her hands was due to the constant use in handling packages, picking up trays of mail and delivering mail.

In treatment notes dated December 1 and 29, 1999, January 20, February 9 and March 2, 2000, Dr. P. Jeffrey Jarrett, an attending Board-certified orthopedic surgeon, noted positive Tinel's sign and a positive Phalen's sign bilaterally at the wrist and diagnosed bilateral carpal tunnel syndrome.

By letter dated Mach 6, 2000, the Office of Workers' Compensation Programs advised appellant that the medical evidence supported a diagnosis of carpal tunnel, but a medical opinion discussing causal relationship was needed to show that her condition was causally related to factors of her employment.

In a March 19, 2000 letter, Dr. Jarrett diagnosed bilateral carpal tunnel syndrome and opined that he was "uncertain as to whether her work activities actually initiated her symptoms or whether her work activities aggravated her underlying condition."

By decision dated May 2, 2000, the Office denied the claim on the basis that no causal relationship with the identified factors of appellant's employment had been established.

The Board finds that appellant has failed to establish that she developed carpal tunnel syndrome causally related to factors of her federal employment.

In cases of occupational disease or illness, as in this case of claimed carpal tunnel syndrome, an employee must establish fact of injury by submitting: (1) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition alleged; (2) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; and (3) medical evidence establishing that the employment factors identified by the claimant were the proximate cause of the condition for which compensation is claimed,[1] or, stated differently, that the implicated conditions or factors of employment caused an "injury" as defined in the Federal Employees' Compensation Act[2] and its regulations.[3] An award of compensation may not be based on surmise, conjecture, speculation, or appellant's belief of causal relationship.[4] A person, who claims benefits under the Act has the burden of establishing the essential elements of his or her claim.[5] Appellant must establish that she sustained an injury in the performance of duty and that her disability resulted from such injury.[6] As part of this burden, appellant must present rationalized medical opinion evidence, based on a complete factual and medical background, showing causal relationship.[7]

Rationalized medical opinion evidence is medical evidence that includes a physician's rationalized opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. Such an opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by appellant.[8]

The mere manifestation of a condition during a period of employment does not raise an inference of causal relationship between the condition and the employment.[9] Neither the fact

[1] *George A. Ross*, 43 ECAB 346 (1991); *James D. Carter*, 43 ECAB 113 (1991).

[2] 5 U.S.C. §§ 8101-8193 (1974).

[3] *Cf. Frederick H. Coward, Jr.*, 41 ECAB 843 (1990); *Victor J. Woodhams*, 41 ECAB 345 (1989) (the employee must submit, among other things, medical evidence establishing that the employment factors indentified by the employee proximately caused the condition for which compensation is claimed). 5 U.S.C. § 8101(1)(5) defines "injury" in relevant part as follows: "[I]njury' includes, in addition to injury by accident, a disease proximately caused by employment...." 20 C.F.R. § 10.5(a)(16) defines "occupational disease or illness" as follows: "[A] condition produced in the work environment over a period longer than a single workday or shift by such factors as systemic infection; continued or repeated stress or strain; or exposure to hazardous elements such as, but not limited to, toxins, poisons, fumes, noise, particulates, or radiation, or other continued or repeated conditions or factors of the work environment."

[4] *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979); *Miriam L. Jackson Gholikely*, 5 ECAB 537, 538-39 (1953).

[5] *Nathaniel Milton*, 37 ECAB 712, 722 (1986); *Paul D. Weiss*, 36 ECAB 720, 721 (1985).

[6] *Daniel R. Hickman*, 34 ECAB 1220, 1223 (1983).

[7] *Mary J. Briggs*, 37 ECAB 578, 581 (1986); *Joseph T. Gulla*, 36 ECAB 516, 519 (1985).

[8] *Id.*

[9] *Edward E. Olson*, 35 ECAB 1099, 1103 (1984).

that the condition became apparent during a period of employment nor appellant's belief that the employment caused or aggravated his or her condition is sufficient to establish causal relationship.[10]

In this case, Dr. Jarrett stated in his treatment notes that appellant had positive Tinel's and Phalen's signs, but he did not identify or discuss causation. Nor did he relate his diagnosis presentation to any particular factors of appellant's federal employment. In his March 19, 2000 report, Dr. Jarrett stated that he was "uncertain as to whether her work activities actually initiated her symptoms or whether her work activities aggravated her underlying condition." He merely gave an unrationalized diagnosis of carpal tunnel syndrome. The weight of his medical opinion, therefore, is of significantly reduced probative value.

The weight of medical evidence is determined by its reliability, its probative value, its convincing quality, the care of analysis manifested and the medical rationale expressed in support of the physician's opinion.[11] Given these factors and considering the absence of analysis and rationale in Dr. Jarrett's reports, the Board finds that the Office properly determined that appellant failed to establish that her carpal tunnel syndrome was causally related to factors of her federal employment.

The May 2, 2000 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
May 7, 2001

Michael J. Walsh
Chairman

Willie T.C. Thomas
Member

Priscilla Anne Schwab
Alternate Member

[10] *Bruce E. Martin*, 35 ECAB 1090, 1093 (1984); *Dorothy P. Goad*, 5 ECAB 192, 193 (1952).

[11] *James Mack*, 43 ECAB 321 (1991); *John A. Ceresoli, Sr.*, 40 ECAB 305 (1988); *Naomi A. Lilly*, 10 ECAB 560 (1959).